INTERNATIONAL SEARCH REPORT

etional Application No PCT/EP 03/51035

A CLASSIFICATION OF SUBJECT MATTER IPC 7 A61K31/496 A61P25/00

C07D211/96 C07D513/04

A61P29/00 CO7D405/14 C07D409/14 C07D211/58 C07D417/14 CO7D401/14 CO7D413/14

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols) IPC 7 CO7D A61K A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, BEILSTEIN Data, CHEN ABS Data

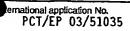
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| | ENTS CONSIDERED TO BE RELEVANT | | |
| Category ° | Citation of document, with indication, where appropriate, of t | he relevant passages | Relevant to claim No. |
| Α | WO 02/062784 A (HOFFMANN LA RO 15 August 2002 (2002-08-15) cited in the application claim 1 | OCHE) | 1-17 |
| A | WO 02/32867 A (GLAXO GROUP LTD; TRANQUILLINI MARIA ELVIRA (IT PAOLO (IT) 25 April 2002 (2002 cited in the application claim 1 |); MARAGNI | 1–17 |
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| χ Furth | er documents are listed in the continuation of box C. | Patent family members are listed i | n annex. |
| "A" documer consider affiling de the documer which is citation "O" documer other in "P" documer me consider affiliation "P" documer me con | nt which may throw doubts on priority claim(s) or s cited to establish the publication date of another or other special reason (as specified) nt referring to an oral disclosure, use, exhibition or | "T" later document published after the inte or priority date and not in conflict with cited to understand the principle or the invention "X" document of particular relevance; the cannot be considered novel or cannot involve an inventive step when the do. "Y" document of particular relevance; the cannot be considered to involve an involve an inventive step when the document is combined with one or moments, such combination being obvious in the art. "8" document member of the same patent in | the application but soory underlying the laimed trivention be considered to cument is taken alone laimed invention rentive step when the re other such docu— is to a person skilled |
| Date of the a | actual completion of the International search | Date of mailing of the international sear | ch report |
| 19 | 9 April 2004 | 28/04/2004 | |
| Name and m | alling address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL – 2280 HV Rijswijk Tel. (+31–70) 340–2040, Tx. 31 651 epo nl, Fax: (+31–70) 340–3016 | Authorized officer Johnson, C | |



rational Application No PCT/EP 03/51035

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INTERNATIONAL SEARCH REPORT



| Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet) |
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| This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons: |
| Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely: |
| 2. X Claims Nos.: 1 (part) because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically: see FURTHER INFORMATION sheet PCT/ISA/210 |
| 3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a). |
| Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet) |
| This International Searching Authority found multiple inventions in this international application, as follows: |
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| As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims. |
| As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee. |
| As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.: |
| 4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report Is restricted to the Invention first mentioned in the claims; it is covered by claims Nos.: |
| Remark on Protest The additional search fees were accompanied by the applicant's protest. No protest accompanied the payment of additional search fees. |

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 1 (part)

Present claim 1 relates to a compound defined by reference to a desirable characteristic or property, namely prodrugs. The claims cover all compounds having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such compounds. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the compound by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the compounds of formuls (I), their salts, stereoisomers, N-oxides and esters and amides as defined on p. 15 of the description.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

iformation on patent family members

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